

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re: Suffolk Banana Co., Inc

§ Case No. 8-14-71444-REG

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

R. KENNETH BARNARD, ESQ., chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$1,571,567.41</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>N/A</u>
Total Distribution to Claimants: <u>\$0.00</u>	Claims Discharged Without Payment: <u>N/A</u>
Total Expenses of Administration: <u>\$80,350.00</u>	

3) Total gross receipts of \$ 80,350.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$80,350.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$0.00	\$2,943,948.73	\$578,688.29	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	55,350.00	55,350.00	55,350.00
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	153,393.98	153,393.98	25,000.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	1,373,679.09	90,108.53	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	0.00	1,146,885.05	1,116,807.83	0.00
TOTAL DISBURSEMENTS	\$0.00	\$5,673,256.85	\$1,994,348.63	\$80,350.00

4) This case was originally filed under Chapter 7 on April 03, 2014.
The case was pending for 31 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 05/15/2017 By: /s/R. KENNETH BARNARD, ESQ.
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 –GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
vehicles	1129-000	71,500.00
machinery	1129-000	8,850.00
TOTAL GROSS RECEIPTS		\$80,350.00

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 –SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
5	D'Arrigo Bros. Co. of New York, Inc.	4220-000	N/A	108,383.75	0.00	0.00
6	Rubin Bros. Produce Corp.	4220-000	N/A	32,065.00	0.00	0.00
7	Coosemans New York, Inc.	4220-000	N/A	4,066.75	0.00	0.00
8	Globe Trade Capital LLC	4210-000	N/A	578,688.29	578,688.29	0.00
10	"R" Best Produce, Inc.	4220-000	N/A	6,715.52	0.00	0.00
14 -2	Citibank, N.A.	4210-000	N/A	2,139,029.42	0.00	0.00
26S	Direct Capital Corporation	4210-000	N/A	75,000.00	0.00	0.00
TOTAL SECURED CLAIMS			\$0.00	\$2,943,948.73	\$578,688.29	\$0.00

EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee Compensation - R. KENNETH BARNARD, ESQ.	2100-000	N/A	5,000.00	5,000.00	5,000.00
Trustee Expenses - R. KENNETH BARNARD, ESQ.	2200-000	N/A	20.70	20.70	20.70
Other - Westerman, Ball, Ederer, Miller, Zucker & Sharfstein, LLP	3210-000	N/A	18,423.90	18,423.90	18,423.90
Other - Westerman, Ball, Ederer, Miller, Zucker & Sharfstein, LLP	3220-000	N/A	9.62	9.62	9.62
Other - Paritz & Company, P.A.	3410-000	N/A	2,776.67	2,776.67	2,776.67
Auctioneer for Trustee Fees (including buyers premiums) - David R Maltz & Co.	3610-000	N/A	25,000.00	25,000.00	25,000.00
U.S. Trustee Quarterly Fees - Office of the United States Trustee	2950-000	N/A	1,950.00	1,950.00	1,950.00
Other - Signature Bank	2600-000	N/A	6.86	6.86	6.86
Other - Signature Bank	2600-000	N/A	109.69	109.69	109.69
Other - Signature Bank	2600-000	N/A	102.68	102.68	102.68
Other - Signature Bank	2600-000	N/A	102.53	102.53	102.53
Other - Rabobank, N.A.	2600-000	N/A	68.21	68.21	68.21
Other - Rabobank, N.A.	2600-000	N/A	105.62	105.62	105.62
Other - Rabobank, N.A.	2600-000	N/A	108.84	108.84	108.84
Other - Rabobank, N.A.	2600-000	N/A	122.29	122.29	122.29
Other - Rabobank, N.A.	2600-000	N/A	114.46	114.46	114.46
Other - Rabobank, N.A.	2600-000	N/A	110.49	110.49	110.49
Other - Rabobank, N.A.	2600-000	N/A	125.56	125.56	125.56
Other - International Sureties, Ltd	2300-000	N/A	29.09	29.09	29.09
Other - Rabobank, N.A.	2600-000	N/A	109.86	109.86	109.86
Other - Rabobank, N.A.	2600-000	N/A	109.66	109.66	109.66
Other - Rabobank, N.A.	2600-000	N/A	124.64	124.64	124.64
Other - Rabobank, N.A.	2600-000	N/A	109.34	109.34	109.34
Other - NYS Department of Taxation and Finance	2820-000	N/A	309.89	309.89	309.89
Other - Rabobank, N.A.	2600-000	N/A	109.04	109.04	109.04
Other - NYS Department of Taxation and Finance	2820-000	N/A	25.81	25.81	25.81
Other - Rabobank, N.A.	2600-000	N/A	123.60	123.60	123.60
Other - Signature Bank	2600-000	N/A	40.95	40.95	40.95
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$55,350.00	\$55,350.00	\$55,350.00

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Goetz Fitzpatrick LLP	6210-000	N/A	145,239.21	145,239.21	25,000.00
NYS Department of Finance	6820-000	N/A	8,154.77	8,154.77	0.00
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$153,393.98	\$153,393.98	\$25,000.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1P-6	NYS Department of Finance	5800-000	N/A	30,977.82	30,977.82	0.00
2	NYS Dept of Labor	5800-000	N/A	N/A	0.00	0.00
11P-3	Internal Revenue Service	5800-000	N/A	38,533.12	38,533.12	0.00
12P-2	National Labor Relations Board	5800-000	N/A	11,312.00	11,312.00	0.00
15	Katzman Berry Corp.	5200-000	N/A	2,179.09	0.00	0.00
16	Chiquita Fresh North America, LLC	5200-000	N/A	621,923.69	0.00	0.00
17	Dole Fresh Fruit Company	5400-000	N/A	231,098.87	0.00	0.00
18	Fierman Produce Exchange Inc.	5200-000	N/A	26,707.04	0.00	0.00
19	S. Katzman Produce, Inc.	5200-000	N/A	18,616.27	0.00	0.00
20	Morris Okun, Inc.	5200-000	N/A	1,155.50	0.00	0.00
21P	Frank A. Mauro, Jr.	5300-000	N/A	2,598.08	2,598.08	0.00
22	John Reina	5300-000	N/A	N/A	0.00	0.00
23	State of NY Dept of Labor	5800-000	N/A	99.25	99.25	0.00
25	State of NY Dept of Labor	5800-000	N/A	6,588.26	6,588.26	0.00
34	Banacol Marketing Corporation	5200-000	N/A	349,495.53	0.00	0.00
35	Del Monte Fresh Produce N.A., Inc.	5200-000	N/A	32,394.57	0.00	0.00
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$1,373,679.09	\$90,108.53	\$0.00

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1U-6	NYS Department of Finance	7100-000	N/A	5,751.10	5,751.10	0.00
3	Eliminex Pest Control Inc.	7100-000	N/A	712.64	712.64	0.00
4	Peter's Fruit Co	7100-000	N/A	30,077.22	0.00	0.00
9	US Dept of Labor- Emp Benefits Security Admin	7100-000	N/A	905,083.00	905,083.00	0.00
11U-3	Internal Revenue Service	7100-000	N/A	1,644.32	1,644.32	0.00
12U-2	National Labor Relations Board	7100-000	N/A	3,838.00	3,838.00	0.00
13	Densieski Farms	7100-000	N/A	12,984.00	12,984.00	0.00
21U	Frank A. Mauro, Jr.	7100-000	N/A	124,937.98	124,937.98	0.00
24	Barnwell House of Tires Inc	7100-000	N/A	416.03	416.03	0.00
26U	Direct Capital Corporation	7100-000	N/A	53,172.03	53,172.03	0.00
27	Axel Anderson Inc	7100-000	N/A	647.35	647.35	0.00
28	Maggio Sanitation	7100-000	N/A	475.48	475.48	0.00
30	City of New York	7100-000	N/A	686.24	686.24	0.00
32	Trux Inc.	7100-000	N/A	444.84	444.84	0.00
36	American Ripener LLC	7100-000	N/A	5,094.50	5,094.50	0.00
37	Maggio Sanitation Service	7100-000	N/A	475.48	475.48	0.00
38	Fireman Produce Exchange Inc	7100-000	N/A	N/A	0.00	0.00
39	Trux Inc.	7100-000	N/A	444.84	444.84	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$0.00	\$1,146,885.05	\$1,116,807.83	\$0.00

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 8-14-71444-REG

Trustee: (520840) R. KENNETH BARNARD, ESQ.

Case Name: Suffolk Banana Co., Inc

Filed (f) or Converted (c): 10/16/14 (c)

§341(a) Meeting Date: 11/05/14

Period Ending: 05/15/17

Claims Bar Date: 03/30/15

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=§554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
1	checking	0.00	0.00	0.00	FA
2	checking	0.00	0.00	0.00	FA
3	accounts receivable	761,567.41	0.00	0.00	FA
4	PACA license	Unknown	0.00	0.00	FA
5	vehicles	225,000.00	71,500.00	71,500.00	FA
6	office	10,000.00	0.00	0.00	FA
7	machinery	30,000.00	8,850.00	8,850.00	FA
8	ripening rooms	800,000.00	0.00	0.00	FA
8	Assets Totals (Excluding unknown values)	\$1,826,567.41	\$80,350.00	\$80,350.00	\$0.00

Major Activities Affecting Case Closing:

his case is related to, and procedurally consolidated with the Chapter 7 cases pending for P.F. Transport, Inc. 14-71453 and Long Island Banana Corp. 14-71443.

Initial Projected Date Of Final Report (TFR): December 31, 2016

Current Projected Date Of Final Report (TFR): July 22, 2016 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 8-14-71444-REG
Case Name: Suffolk Banana Co., Inc

Trustee: R. KENNETH BARNARD, ESQ. (520840)
Bank Name: Signature Bank
Account: *****62 - Checking
Blanket Bond: \$77,628,510.00 (per case limit)
Separate Bond: N/A

Taxpayer ID #: **-***3668

Period Ending: 05/15/17

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
02/24/15	{5}	David R. Maltz & Co., Inc	Proceeds from auction sale of vehicles	1129-000	71,500.00		71,500.00
02/27/15		Signature Bank	Bank and Technology Services Fee	2600-000		6.86	71,493.14
03/31/15		Signature Bank	Bank and Technology Services Fee	2600-000		109.69	71,383.45
04/30/15		Signature Bank	Bank and Technology Services Fee	2600-000		102.68	71,280.77
05/29/15		Signature Bank	Bank and Technology Services Fee	2600-000		102.53	71,178.24
06/10/15		Signature Bank	Bank and Technology Services	2600-000		40.95	71,137.29
06/10/15		Signature Bank	Transfer to Rabobank, N.A.	9999-000		71,137.29	0.00
ACCOUNT TOTALS					71,500.00	71,500.00	\$0.00
Less: Bank Transfers					0.00	71,137.29	
Subtotal					71,500.00	362.71	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					\$71,500.00	\$362.71	

Form 2

Cash Receipts And Disbursements Record

Case Number: 8-14-71444-REG
Case Name: Suffolk Banana Co., Inc

Trustee: R. KENNETH BARNARD, ESQ. (520840)

Bank Name: Rabobank, N.A.

Account: *****7566 - Checking Account

Blanket Bond: \$77,628,510.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***3668

Period Ending: 05/15/17

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
06/10/15		Rabobank, N.A.	Transfer from Signature Bank	9999-000	71,137.29		71,137.29
06/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		68.21	71,069.08
07/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		105.62	70,963.46
08/03/15	{7}	David R. Maltz & Co., Inc.	Proceeds of auction of fork lifts	1129-000	8,850.00		79,813.46
08/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		108.84	79,704.62
09/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		122.29	79,582.33
10/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		114.46	79,467.87
11/30/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		110.49	79,357.38
12/31/15		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		125.56	79,231.82
01/15/16	101	International Sureties, Ltd	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/15/2016 FOR CASE #814-71444, U.S.B.C, E.D.N.Y., Trustee Blanket Bond Payment	2300-000		29.09	79,202.73
01/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		109.86	79,092.87
03/01/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		109.66	78,983.21
03/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		124.64	78,858.57
04/29/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		109.34	78,749.23
05/06/16	102	NYS Department of Taxation and Finance	EIN 11-2013668	2820-000		309.89	78,439.34
05/31/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		109.04	78,330.30
06/10/16	103	NYS Department of Taxation and Finance	TIN # 11-20113668; 2015 Corporate Tax	2820-000		25.81	78,304.49
06/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		123.60	78,180.89
04/05/17	104	David R Maltz & Co.	Dividend paid 100.00% on \$25,000.00, Auctioneer for Trustee Fees (including buyers premiums); Reference:	3610-000		25,000.00	53,180.89
04/05/17	105	Westerman, Ball, Ederer, Miller, Zucker & Sharfstein, LLP	Dividend paid 100.00% on \$18,423.90, Attorney for Trustee Fees (Other Firm); Reference:	3210-000		18,423.90	34,756.99
04/05/17	106	Paritz & Company, P.A.	Dividend paid 100.00% on \$2,776.67, Accountant for Trustee Fees (Other Firm); Reference:	3410-000		2,776.67	31,980.32
04/05/17	107	Westerman, Ball, Ederer, Miller, Zucker & Sharfstein, LLP	Dividend paid 100.00% on \$9.62, Attorney for Trustee Expenses (Other Firm); Reference:	3220-000		9.62	31,970.70
04/05/17	108	Office of the United States Trustee	Dividend paid 100.00% on \$1,950.00, U.S. Trustee Quarterly Fees; Reference:	2950-000		1,950.00	30,020.70
04/05/17	109	Goetz Fitzpatrick LLP	Dividend paid 17.21% on \$145,239.21, Attorney for Trustee/D-I-P Fees (Other Firm)	6210-000		25,000.00	5,020.70

Subtotals :

\$79,987.29

\$74,966.59

Form 2

Cash Receipts And Disbursements Record

Case Number: 8-14-71444-REG
Case Name: Suffolk Banana Co., Inc

Trustee: R. KENNETH BARNARD, ESQ. (520840)

Bank Name: Rabobank, N.A.

Account: *****7566 - Checking Account

Blanket Bond: \$77,628,510.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***3668

Period Ending: 05/15/17

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
			(Chapter 11); Reference:				
04/05/17	110	R. KENNETH BARNARD, ESQ.	COMBINED CHECK FOR TRUSTEE COMPENSATION, EXPENSES AND INTEREST			5,020.70	0.00
			Dividend paid 100.00% 5,000.00 on \$5,000.00; Claim# ; Filed: \$5,000.00	2100-000			0.00
			Dividend paid 100.00% 20.70 on \$20.70; Claim# ; Filed: \$20.70	2200-000			0.00

ACCOUNT TOTALS	79,987.29	79,987.29	\$0.00
Less: Bank Transfers	71,137.29	0.00	
Subtotal	8,850.00	79,987.29	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$8,850.00	\$79,987.29	

Net Receipts : 80,350.00

Net Estate : \$80,350.00

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
Checking # *****62	71,500.00	362.71	0.00
Checking # *****7566	8,850.00	79,987.29	0.00
	\$80,350.00	\$80,350.00	\$0.00